In the High Court of Judicature at Madras

Dated: 21.08.2006

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice S.MANI KUMAR

Writ Appeal No.2436 of 2002
and WAMPs.No.4104 of 2002 and 1500 of 2006

The Pachaiyappa's Trust, rep.by
its Secretary, Pachaiyappa's College
Campus, Chetpet, Chennai-31. ..Appellant

..vs..

1. P.Asokan

2. The Chief Educational Officer,
   Kancheepuram.

3. The District Educational Officer,
   Kancheepuram.

4. The Joint Director of School
   Education (Higher Secondary),
   College Road,
   Chennai-6. ..Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the order of the learned Judge Mr.Justice V.Kanakaraj, dated 05.07.2002 made in W.P.No.24101 of 2002 presented to this Court under Article 226 of the Constitution of India to issue a writ of Mandamus directing the respondents 1 to 3 to implement the order of the 4th Respondent by his proceeding Na.Ka.No.10149/W8/2000, dated 11.10.2001.

For Appellant : Mr.M.Devendran

For Respondents : Mr.P.Rajamanickam for R1

Mrs.R.Shanthi Rakkappan
Govt.Advocate for R2 to R4

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JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM, J.,)

By consent of both parties, the Writ Appeal itself is taken up for disposal.

2. The Pachaiyappa's Trust through its Secretary, aggrieved by the order of the learned Single Judge dated 05.07.2002 passed in W.P.No.24101 of 2002, has filed this Writ Appeal.

3. Heard the learned counsel appearing for the appellant as well as the contesting first respondent.

4. Even at the outset, learned counsel appearing for the appellant states that the appellant Trust is willing to implement the order of the Joint Director of School Education dated 11.10.2001 from today without backwages, etc.

5. Mr.Rajamanickam, learned counsel appearing for the first respondent is agreeable for the said course, however, seeks direction from this Court for implementation of the said decision, within an outer limit to be fixed by this Court.

6. The statement of the learned counsel appearing for the contesting respondent is hereby recorded. The appellant Trust is directed to implement the order of the Joint Director of School Education dated 11.10.2001 with effect from today within a period of two weeks from today.

7. To this extent, the impugned order of the learned single Judge dated 05.07.2002 is modified and the Writ Appeal is allowed in part. No costs. Consequently, WAMPs.No.4104 of 2002 and 1500 of 2006 are closed.

सत्यमेव जयते

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Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

1. The Chief Educational Officer,
   Kancheepuram.

2. The District Educational Officer,
   Kancheepuram.

3. The Joint Director of School
   Education (Higher Secondary),
   College Road,
   Chennai-6.

1 cc to Mr.M.Devendran, Advocate, SR.37422

km (co)

dv/23.8.06

Writ Appeal No.2436 of 2002

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